

INGHAM COUNTY BOARD OF CANVASSERS
MEETING OF NOVEMBER 7, 2018
BOARD OF COMMISSIONERS ROOM
MASON HISTORICAL COURTHOUSE, THIRD FLOOR
MASON, MICHIGAN

CANVASSERS PRESENT: Kathy Prout
Mary Kay Scullion
Joe Groff
Rebecca Bahar-Cook

CANVASSERS ABSENT: None

OTHERS PRESENT: Barb Byrum, Ingham County Clerk
Liz Noel, Elections/Clerk Coordinator
Tyler Smith, County Clerk Staff
Chris Swope, Lansing City Clerk

Meeting Called to Order

Chairperson Scullion called the November 7, 2018 meeting of the Board of Canvassers to order at 1:00 p.m.

Approval of Agenda

Moved by Canvasser Groff, supported by Canvasser Bahar-Cook, to approve the agenda. Motion carried unanimously.

Remarks by Clerk Byrum

Barb Byrum, Ingham County Clerk, stated that the County Clerk's Office has requested assistance from Democratic and Republican alternates, however, none were available for this meeting. She further stated that her Office had reached out to the Democratic and Republican Party chairs in Ingham County, for assistance.

Clerk Byrum stated "Chicken Bob" was a write-in issue with County Commissioner District 10 for Bob Pena, who decided after losing in the Primary Election to Thomas Morgan, to run as a write-in with no party affiliation. She further stated that the write-in campaign provided many opportunities, one of which was slowing down the absent voter counting board scanner, and another is that the Board of Canvassers gets to decide if those votes would be valid toward Bob Pena's vote total.

Clerk Byrum stated that the "high-speed" absent voter scanners were anything but in this Election, as there was no on-screen adjudication to allow for the review of issues on the screen as a batch of ballots was being scanned, and any issues would currently stop the scanning of that batch. She further stated that since no-reason absentee voting had passed this Election, this issue would need to be resolved.

Clerk Byrum stated that there was a myriad of tabulator issues across the County, including the City of Lansing, Ward 3, Precinct 26 tabulator's memory cards shut down at 5:00 p.m., and her Office had worked with the Bureau

of Elections to determine it was okay to re-burn the memory cards. She further stated that once the memory cards were re-burned, it turned out to be an issue with the two-year-old tabulator.

Clerk Byrum stated tabulators across the County had issues freezing, shutting down and jamming, and Election Source, tabulator vendor, had been on-call in the County to address those issues on Election Day. She further stated that her Office would be putting together a list of the issues and working with the municipal clerks, as well as the vendors and the Bureau of Elections to address the issues.

Canvasser Bahar-Cook requested that the list of tabulator issues be shared with the Board of Canvassers.

Clerk Byrum stated she would share the communication with them.

Discussion.

Clerk Byrum stated there were a lot of provisional ballots, especially in the City of East Lansing. She further stated that there were issues with provisional ballots in Meridian Township, specifically, where the Meridian Township Clerk denied individuals the right to vote.

Clerk Byrum stated that Leroy Township's ballot balance was off by one vote, and East Lansing AV Counting Board was off by two votes. She further stated Williamstown Township had an issue with a poll challenger who was sitting at the table and interacting with voters, which was corrected by the Township Clerk, and she had told him three strikes and that poll challenger could be thrown out.

Discussion.

Clerk Byrum stated there was an issue with the City of Lansing, Ward 1, Precinct 45, where the first 112 voters all received the same ballot style, although there was a split between the East Lansing & Lansing School Districts in the precinct. She further stated that Lansing City Clerk Chris Swope would be able to provide more detail on the issue.

Clerk Byrum stated it was reported to her in the evening of Election Day, that the Meridian Township Clerk threatened to call the police on a voter who had requested a provisional ballot. She further stated a voter protection lawyer had contacted her, and she had worked with them to allow that voter to vote, but had left messages for the Meridian Township Clerk and they had not responded.

Clerk Byrum stated Meridian Township took a long time to report their vote totals. She further stated that the Meridian Township Clerk indicated that they were "wrapping up" at 11:00 p.m., but it was hours later before results were transmitted.

Clerk Byrum stated the City of Lansing also had some opportunities, but those were not the fault of the City Clerk. She further stated the high-speed absent voter scanner went very slowly, and the Clerk had done everything in his power to address this by starting the counting board early, but the ballot was long, the write-in opportunities and elimination of straight-party voting were problematic.

Clerk Byrum stated that the City of East Lansing was the last to report their vote numbers, but it was not the fault of the East Lansing City Clerk, as she had been proactive and bought a new high-speed tabulator. She further stated that the tabulator they had bought was a lemon, and the vendor had denied it was a tabulator issue, but finally switched out the machine in the afternoon.

Clerk Byrum stated the East Lansing City Clerk had pushed through the absent voter ballots as quickly as she could but it took a long time. She further stated that she would not fault the Cities of Lansing and East Lansing for their issues, but would fault Meridian Township for theirs, as there was continued lack of communication with her Office, not responding to concerns, threatening to call the police on a voter, and not having communication with the polling locations.

Discussion.

Clerk Byrum stated that the East Lansing City Clerk handled the election very well, and was receptive to help and communicative. She further stated that East Lansing was very busy on Election Day, but she handled it well, and at one time implemented both paper lists and the dual ePollbook to get lines moving faster in an MSU precinct.

Discussion.

Clerk Byrum stated there were a few issues in Delhi Township, but were handled by the Township Clerk. She further stated there was a concern in Williamstown Township, where there was a contentious school board recall, about an election inspector that had been involved in the recall process, however there was no reason to question her ethics and disallow her to serve as an election inspector.

Discussion.

Receipt of Envelopes from Judge Garcia

Kelly McClintock, representative from the Probate Court, delivered the envelopes from the November 6, 2018 Election to the Board of Canvassers.

Public Comment

Chris Swope, Lansing City Clerk, stated the City of Lansing had a great turnout for the November 6, 2018 Election. He further stated that Ward 2, Precinct 16 had the highest turnout, which was mostly Millennial voters.

Clerk Swope stated that the high-speed absent voter tabulator was an issue, and he agreed with Clerk Byrum's comments regarding the issues with the tabulator. He further stated that he already started conversations with the Bureau of Elections to work for on-screen adjudication, as it had not been certified by the Bureau of Elections, but had been presented to the clerks before the purchase.

Clerk Swope stated that currently with the high-speed tabulator, every time there was a write-in vote, overvote, or ambiguous mark, the scanner had to stop and the ballot with the issue needed to be found in the stack of ballots, which was usually about six back from what had gone through the tabulator. He further stated that on-screen adjudication would allow them to run an entire precinct and then review ballots with issues after.

Clerk Swope stated that on-screen adjudication would save the clerks from duplicating those ballots that caused the scanner to stop, which was the current process when an oval was not completely filled in.

Discussion.

Clerk Swope stated that once a ballot had been reviewed, it took about 30 seconds for the tabulator to begin scanning again, and it required the last six ballots to be re-run.

Discussion.

Clerk Swope stated that there were several tabulator issues throughout Election Day, including three that had to be switched out and many that had to be rebooted. He further stated that they would continue to look into that.

Clerk Swope stated there had been some media reporting that League of Women Voters guides and the Lansing City Pulse was found in some of the voting booths, which were removed as soon as the poll workers were aware of the issue. He further stated he could not control what voters and others put in the voting booths, but could take them out once made aware of the issue.

Clerk Swope stated that there was an issue with City of Lansing, Ward 1, Precinct 45 which was a split precinct between Lansing School District and East Lansing School District. He further stated that all of the trainings went over how to handle split precincts and the ePollbook notations, however the poll workers adjusted the auto-advanced numbers to reflect the number of the ballot that was distributed.

Clerk Swope stated the first 112 voters in that precinct were all given East Lansing School District ballots, and 88 of those voters lived in the Lansing School District. He further stated no one could be sure if those voters voted in the school board race, but they were given the opportunity to vote in that race, in which they were not entitled to vote.

Clerk Swope stated he spoke with the Bureau of Elections after the issue had been fixed, and the Bureau of Elections indicated that any voter that did not get an opportunity to vote on what they were supposed to vote on and it would make a difference in the race, there was a provision in law for a mail-in vote for that. He further stated the 88 voters did not get the opportunity to vote on Lansing School District races, which were all uncontested, but were given the opportunity to vote in the East Lansing School District race, which they were not entitled to, but there was no provision in law to fix that.

Clerk Swope stated it was unfortunate, because the difference between the fourth and fifth place candidates was less than the number of voters.

Discussion.

Clerk Swope stated his understanding was that the Board of Canvassers certified the results as they were cast, and the candidates would do what they wanted after the results were certified.

Discussion.

Clerk Swope stated that the City of Lansing was part of a pilot risk-limiting audit program in Michigan, which he believed would be the future of election audits. He further stated he would invite the Board of Canvassers to the audit, which would be held December 4, 2018.

Approval of Draft Minutes

The approval of the August 8-13, 2018, and August 15, 2018 draft minutes of the Board of Canvassers meeting was postponed.

Canvass of November 6, 2018 Election

The Board of Canvassers began to canvass the November 6, 2018 Election.

The Board of Canvassers noted for the record that Lansing Ward 2 Precinct 19 appeared to have discrepancies between the EPB and the records of ballots issued, counted and spoiled, and the signature of the person administering the oath was missing in the poll book. Robin Stites later explained that the EPB entry was mistaken, and showed that her precinct balanced at the end of election night. The book was also signed by the precinct Chairperson on November 14, 2018.

The members of the Board of Canvassers considered whether to count write-in votes for “Chicken Bob” as votes for Bob Pena. **Ayes:** Scullion, Bahar-Cook and Prout **Abstain:** Groff.

Other Business

None.

Recess

The meeting was recessed at 4:19 p.m.

DRAFT

INGHAM COUNTY BOARD OF CANVASSERS
MEETING OF NOVEMBER 8, 2018
BOARD OF COMMISSIONERS ROOM
MASON HISTORICAL COURTHOUSE, THIRD FLOOR
MASON, MICHIGAN

CANVASSERS PRESENT: Kathy Prout
Mary Kay Scullion
Joe Groff
Rebecca Bahar-Cook

CANVASSERS ABSENT: None

OTHERS PRESENT: Liz Noel, Elections/Clerk Coordinator
Tyler Smith, County Clerk Staff

Meeting Called to Order

Chairperson Scullion called the November 8, 2018 meeting of the Board of Canvassers to order at 10:01 a.m.

Canvass of November 6, 2018 Election

The Board of Canvassers continued canvassing the November 6, 2018 Election.

The Board of Canvassers noted for the record that Lansing Ward 4 Precinct 37 had not completed the certificate of election inspectors. Clerk Swope was contacted, and this was later resolved.

The Board of Canvassers noted for the record that Lansing Ward 1 Precinct 8 had failed to check three boxes on the Election Inspectors' Preparation Certificate, and that the Certificate of Election Inspector lacked the count of voters, and also lacked a check mark next to "number of ballots tabulated." Election Inspector LaSandra R. Jones arrived at 4:01 p.m. and resolved all errors.

The Board of Canvassers noted for the record that Lansing Ward 3 Precinct 22 had not completed the Election Inspectors' Preparation Certificate and Certificate of Election Inspectors, and that the signature of the person administering the oath was missing. Cheryl Busch arrived later the same day and resolved all errors.

Liz Noel delivered a communication from Noel Garcia at approximately 1:00 p.m., regarding the East Lansing School Board results. It is attached to the minutes as Attachment A.

The Board of Canvassers noted for the record that Lansing Ward 3 Precinct 29 had not completed the dates on the oath form. Roslyn Griffin later came in and resolved all errors.

The Board of Canvassers noted for the record that Lansing Ward 3 Precinct 25 had not completed the dates on the oath form. Julia later came in and resolved the error.

The Board of Canvassers noted for the record that Lansing Ward 4 Precinct 40 had issued 553 ballots, but only 552 votes had been recorded. It was later explained that Voter #412 had spoiled a ballot and chose not to receive a new one.

Other Business

None.

Recess

The meeting was recessed at 4:01 p.m.

DRAFT

Noel, Elizabeth

From: Byrum, Barb
Sent: Thursday, November 8, 2018 12:49 PM
To: Noel, Elizabeth; LaForte, Lindsey
Cc: cswope@lansingmi.gov
Subject: FW: Please forward to Board of Canvassers Thank you
Attachments: Facebook Post.jpg

Please print for each member of the Ingham County Board of Canvassers and be sure that it is located in the Minutes of the distribution.

Sincerely,
Barb Byrum, JD, CERA
Ingham County Clerk
517-476-7204

From: Noel Garcia [mailto:noe0342@gmail.com]
Sent: Thursday, November 08, 2018 12:23 PM
To: Byrum, Barb
Subject: Please forward to Board of Canvassers - Thank you

Ingham County Board of Canvassers,

I am Noel Garcia. I ran this election for East Lansing School Board. There has been some confusion about the final tally of my election as the media is reporting that I won the fourth seat of four seats however the Clerk's office has a couple different versions of the results on their website with the pdf report showing I lost by 60 votes. In speaking with Elizabeth Noel yesterday she advised that pdf report was not accurate because a Clinton County precinct had not yet reported which she checked and it closed the gap to 30 votes.

On another concern. I have been advised that people in Lansing and Okemos actually voted on the wrong ballot and were voting for East Lansing School Board. The attached screen shot is that of a Lansing voter that posted on Facebook of the mishap at that precinct. I have also been approached by long time voters in Okemos that they in fact voted for East Lansing School Board on their ballot when they never have in the past. Additionally, one other School Board candidate has knowledge of this Lansing voting and have acknowledged that in conversation.

I am writing you with concern that the integrity of the elections have been compromised in Ingham County by this obvious oversight at the precincts.

I appreciate your time and attention to this matter.

Noel Garcia, Jr.

ATTENTION:

If you vote at Foster Community Center in Lansing, MI CHECK YOUR BALLOT. Ward 45 is split, there are 2 different ballots 45L (Lansing School Board) and 45E (East Lansing School Board). I was voter 108 however they didn't stop the ballots until voter 112. I received ballot 45E and I was suppose to receive 45L. Some of the 112 people who voted before me may have voted on the wrong ballot. Lansing School Board is uncontested. However people were voting East Lansing School Board who should not have. What happens to those ballots?

The poll worker said at the end of the night they will bundle the first 112 ballots and check who had the wrong ballot and not count the ELSB votes. My question is how do they do that and how do we know it will be done. I feel like those 112 voters should know what is happening to their ballot. I'm disappointed that not one of those 112 voters noticed they voted on the wrong ballot.

There were several packages of ballots on the table behind the check in table. They were labeled Lansing or East Lansing. The check in table only had East Lansing ballots. I understand those are volunteers, but it's important you do this job correctly and pay attention. Not one poll worker noticed there were two different ballots and who should get which one.

INGHAM COUNTY BOARD OF CANVASSERS
MEETING OF NOVEMBER 9, 2018
BOARD OF COMMISSIONERS ROOM
MASON HISTORICAL COURTHOUSE, THIRD FLOOR
MASON, MICHIGAN

CANVASSERS PRESENT: Kathy Prout
Mary Kay Scullion
Joe Groff
Rebecca Bahar-Cook

CANVASSERS ABSENT: None

OTHERS PRESENT: Liz Noel, Elections/Clerk Coordinator
Tyler Smith, County Clerk Staff

Meeting Called to Order

Chairperson Scullion called the November 9, 2018 meeting of the Board of Canvassers to order at 10:00 a.m.

Canvass of November 6, 2018 Election

The Board of Canvassers continued canvassing the November 6, 2018 Election.

Liz Noel presented a communication from Nicole Ellefson regarding issues in Williamstown Township, Precinct 1. It is included in the minutes as Attachment B.

Liz Noel presented a communication from Lori Bourbonais regarding procedures in place for incorrect ballot distribution on Election Day. It is included in the minutes as Attachment C.

The Board of Canvassers noted for the record that Lansing Ward 3 Precinct 31 had failed to check all appropriate boxes on the Certificate of Election Inspectors. Precinct Chair Joe Zandy later arrived and completed the boxes.

The Board of Canvassers noted for the record that Lansing Ward 4 Precinct 38 had issued a provisional ballot but had not properly identified it. Clerk Swope was notified at 11:46a.m., and he indicated that the issue had been resolved.

The Board of Canvassers noted for the record that Lansing Ward 1 Precinct 2 had not completed the signature of the person administering the oath. Tynnetta Qawwee arrived at 12:58p.m. and signed.

The Board of Canvassers noted for the record that Lansing Ward 4 Precinct 41 had failed to check one box on the Certificate of Election Inspectors. Betsie Branch arrived at 2:30p.m. and checked the needed box.

The Board of Canvassers noted for the record that Lansing Ward 1 Precinct 6 had failed to check certain boxes on the Certificate of Election Inspectors. Michelle L. Ott arrived at 2:35p.m. and checked the boxes.

The Board of Canvassers noted for the record that Lansing Ward 2 Precinct 14 had 779 voters and 780 votes cast, that the EPB contained a remark about a provisional ballot for an unregistered voter that had been tabulated, and

that the summary page had a discrepancy of one vote. On November 13, Anita Wilson appeared and explained that the EPB had crashed at the end of the night, and the issue was resolved.

The Board of Canvassers noted for the record that Lansing Ward 3 Precinct 30 had not completed the date the oath was administered. Sherryl Fundunburks-Stephens came in and signed, and the issue was resolved.

Other Business

None.

Adjournment

The meeting was adjourned at 4:01 p.m.

DRAFT

ATTACHMENT B – Submitted by Nicole Ellefson

Noel, Elizabeth

From: Byrum, Barb
Sent: Thursday, November 8, 2018 4:07 PM
To: Noel, Elizabeth
Cc: LaForte, Lindsey
Subject: FW: Election problems at precinct 1 in Williamstown Twp.

Please be sure that this email chain is given to each member of the Board of Canvassers and the Minutes reflect the distribution.

Sincerely,
Barb Byrum, JD, CERA
Ingham County Clerk
517-676-7204

From: Inghamclerk Inghamclerk
Sent: Thursday, November 08, 2018 4:05 PM
To: 'Nicole Ellefson'; inghamclerk Inghamclerk
Cc: Noel, Elizabeth
Subject: RE: Election problems at precinct 1 in Williamstown Twp.

Nicole,

Historically, the Ingham County Board of Canvassers has been very thorough, however I will provide this email chain to them at their meeting, tomorrow.

As a quick point of clarification, I train the election inspectors that work for Clerk Steinberg and they are to have one member of each party (democrat and republican) assist in the duplication of ballots.

Please feel free to contact me if I may be of further assistance.

Sincerely,
Barb Byrum, JD, CERA
Ingham County Clerk
517-676-7204

From: Nicole Ellefson [mailto:nicole.ellefson@gmail.com]
Sent: Thursday, November 08, 2018 3:50 PM
To: inghamclerk Inghamclerk
Subject: Re: Election problems at precinct 1 in Williamstown Twp.

Barb,

Thanks for your quick reply. I would also like this noted to the board of canvassers so that when they review the results from that precinct it's understood that there are irregularities. Steinberg said he'd enter it into the poll book.

I would also like to ask that the board of canvassers looks carefully at any discrepancy in discarded absentee ballots in that precinct as Monica Shafer may have been involved in reviewing ballots for duplication.

Thanks,
Nicole

On Thu, Nov 8, 2018 at 3:39 PM inghamclerk inghamclerk <inghamclerk@ingham.org> wrote:

Nicole,

Thank you for your email message. I communicated with Clerk Steinberg about this issue when I received a complaint on Election Day.

By the time I spoke with him, he stated that he had asked the challenger to back away from the table and discontinue speaking to voters. I noted to Clerk Steinberg that if the challenger continued to be disruptive, he could be asked to leave and that if he thought it would be helpful, I would be more than happy to visit.

I will be sure to follow up with Clerk Steinberg to be sure that he and his election inspectors know the proper decorum in the polling place and that he is aware of the rights afforded to poll challengers. I will also follow up with the Republican Party about training their poll challengers to respect the decorum of the polling place.

Please feel free to contact me if I may be of further assistance.

Sincerely,
Barb Byron, JD, CFRA
Ingham County Clerk
517-676-7204

-----Original Message-----

From: Nicole Ellefson [mailto:nicole.ellefson@gmail.com]

Sent: Wednesday, November 07, 2018 12:19 PM

To: inghamclerk inghamclerk

Subject: Election problems at precinct 1 in Williamstown Twp.

When I arrived at precinct 1 at around 9am to vote, I handed my application for a ballot and driver's license to Julie Conroy who was working at the first position at the polling table. When I finished my application I walked past Monica Shafer (who was also doing the same job of checking applications). For the record, Monica Shafer is one of the chief architects of the recall in the school district and has lodged a civil rights lawsuit against the district.

Seated directly to her left, I saw Allan Culhan beckoning me to him with his hand. He was seated next to Shafer, directly at the table with his arms on the table. I had seen him solicit and handle the IDs and ballot applications of several voters before me. After inspecting both items, he would enter information into a tablet, return both items and the voter progressed to pick up her/his ballot.

I noticed that he was wearing a different badge than either of the first 2 election workers. I looked more closely and saw that his badge was a Republican Poll Challenger credential. I questioned him as to who he was and what he was doing. He said he was a poll challenger. I told him that it was not appropriate to be doing what he was doing. That to poll challengers are not allowed to talk to voters, and certainly not to ask for their materials and touch their materials. And that further, even to sit at the table was against the rules. I told him I felt that he was impersonating an election official which is a crime. I told him to back up and he did.

The clerk then approached me and claimed he had no idea that this had been going on. Another voter came

forward after hearing this interchange and asked Culham to remove her information from his device. I said he did.

I am very concerned about 1) the direct failure of the clerk, a sworn official, to protect the integrity of an election, 2) the potentially unlawful conduct of a partisan challenger, and 3) the potential complicity of a sworn election official in observing and failing to correct this activity.

I hope that you will investigate this to the fullest possible extent.

Nicole Ellefson
3650 Golfview Drive
Williamston, MI
Nicole.ellefson@gmail.com

Nicole Ellefson
nicole.ellefson@gmail.com
cell: 517-449-3341

ATTACHMENT C – Submitted by Clerk Byrum

Noel, Elizabeth

From: Byrum, Barb
Sent: Thursday, November 8, 2018 4:56 PM
To: Noel, Elizabeth
Cc: LaForte, Lindsey; cswape@lansingmi.gov
Subject: FW: Incorrect Ballot Given on Election Day

Liz,

Please provide this information to the Ingham County Board of Canvassers, tomorrow morning, and be sure that the Minutes reflect the distribution.

Please feel free to contact me if I may be of assistance.

Sincerely,
Barb Byrum, JD, CTR A
Ingham County Clerk
517-676-7204

From: Bourbonais, Lori (MDOS) [mailto:bourbonais@michigan.gov]
Sent: Thursday, November 08, 2018 4:54 PM
To: Byrum, Barb
Cc: Noel, Elizabeth
Subject: RE: Incorrect Ballot Given on Election Day

Barb,

The Michigan Election Law provides an option for a special mail election when it is discovered that a voter was unable to vote for his or her candidate of his or choice. Specifically, MCL 168.831 provides,

If an elector cannot cast a valid vote at an election for the candidate of that elector's choice or for or against a ballot question submitted to the voters because of a defect in or a mechanical malfunction of a voting machine, voting device, ballot, or other election equipment or material, a special election may be petitioned for and held as provided for in sections 832 to 839.

Regrettably, there is no similar section that allows for the same process when a voter gets to vote in too many races. With what you have described below, the candidate would need to file an action in court.

Lori

From: Byrum, Barb <BByrum@ingham.org>
Sent: Thursday, November 8, 2018 3:36 PM
To: Bourbonais, Lori (MDOS) <bourbonais@michigan.gov>
Cc: Noel, Elizabeth <enuel@ingham.org>
Subject: Incorrect Ballot Given on Election Day

Lori,

L

It is my understanding that you spoke with Lansing City Clerk Swope regarding the incorrect issuing of ballots in Precinct 45. To refresh, the first 112 voters in the precinct all received East Lansing Public Schools ballots, however it is my understanding that 88 of those voters actually lived in the Lansing School District. Those 88 voters were not able to vote in the Lansing Public Schools election (uncontested race), however, were given the opportunity to vote on the East Lansing Public Schools election (contested race).

One of the candidates for East Lansing School Board is asking if there is anything that can be done in regards to the 88 people who were supposed to get Lansing School Board ballots, but instead had the opportunity to vote in the East Lansing School Board race. The East Lansing School Board race had many candidates for four positions, some that won by less than the amount of incorrect ballots issued.

Could you please send me the guidance that you provided to Clerk Swope on Election Day? I am in need of this in order to accurately respond to the candidate's query and provide to my county Board of Canvassers, who are also asking for the State's guidance.

Please feel free to contact me if I may be of further assistance.

Sincerely,
Barb Tyrum, JD, CIRA
Ingham County Clerk
517-676-7204

INGHAM COUNTY BOARD OF CANVASSERS
MEETING OF NOVEMBER 13, 2018
INGHAM COUNTY HISTORICAL COURTHOUSE, THIRD FLOOR
MASON, MICHIGAN

CANVASSERS PRESENT: Kathy Prout
Mary Kay Scullion
Joe Groff
Rebecca Bahar-Cook

CANVASSERS ABSENT: None

OTHERS PRESENT: Sandy Zerkle, Alternate Canvasser
Dan Wells, Alternate Canvasser
Barb Byrum, Ingham County Clerk
Liz Noel, Election/Clerk Coordinator
Lindsey LaForte, Recording Secretary
Tyler Smith, County Clerk Staff
Jen Shuster, East Lansing City Clerk
Kathryn Gardner, East Lansing City Deputy Clerk

Meeting Called to Order

Chairperson Scullion called the November 13, 2018 meeting of the Board of Canvassers to order at 10:00 a.m.

Canvass of November 6, 2018 Election

The Board of Canvassers continued canvassing the November 6, 2018 Election.

The Board of Canvassers noted for the record that East Lansing Precinct 13 had not completed the Certificate of Election Inspectors, and had failed to include the Remarks page in its EPB records. This was later resolved.

The Board of Canvassers noted for the record that East Lansing Precinct 4 had failed to complete its Certificate of Election Inspectors, and that the papers had been provided loose, instead of bound into the folder provided. Paul Spata came in and corrected these issues.

The Board of Canvassers noted for the record that East Lansing Precinct 15 had not properly signed its Certificate of Election Inspectors, and that there had been 955 voters, but 983 ballots tabulated. These issues were later resolved.

The Board of Canvassers noted for the record that the tabulator serial number for East Lansing Precinct 2 did not match the tabulator serial number listed in that precinct's EPB. Also, the Certificate of Election Inspectors had a check mark missing. Clerk Jen Shuster later appeared and resolved the errors.

The Board of Canvassers noted for the record that East Lansing Precinct 16 had not completed its Certificate of Election Inspectors, that the Clerk's Preparation Certificate needed dates, and that an Election Inspector named

Teresa Kloock had signed the certificate and tape, but that there was no record of her having taken the oath. Election Inspector Kloock appeared and resolved the errors.

The Board of Canvassers noted that about six of the AV Counting Board precinct results appeared to be counting more ballots cast than voters in the precinct. Clerk Shuster and Deputy Clerk Gardner, along with the AV Counting Board chairs, reviewed applications to vote with the lists of voters and the numbers matched.

The Board of Canvassers noted for the record that East Lansing Precinct 9 had failed to check one box on its Certificate of Election Inspectors, and that the number of votes was given as 470 instead of 740. Also, 7 students had been told to vote outside of East Lansing, whereas provisional ballots may likely have been appropriate. Doug Canto appeared and resolved these errors.

The Board of Canvassers noted for the record that East Lansing Precinct 12 had a remark that stated Ballot #172 was a duplicate ballot, but there was no duplicate ballot noted in the Ballot Summary, and the Certificate of Election Inspectors was not complete. Linda Todd Brown completed the certificate but had no knowledge of the other issue. It was later explained that the remark about the duplicate ballot was a note for the E Poll Book operators, as that was the first time they issued a ballot to an unlisted voter in the precinct, and the next ballot number would need to be manually adjusted to account for that ballot.

The Board of Canvassers noted for the record that East Lansing Precinct 11 had failed to check one box on its Certificate of Election Inspectors. The Precinct Chair later appeared and resolved the error.

The Board of Canvassers noted for the record that East Lansing Precinct 6 had not completed its Certificate of Election Inspectors, and that the papers had been provided loose leaf, and not placed into the binder. The Chairperson appeared on November 14 and completed the Certificate, and one of the Canvassers assembled the binder.

The Board of Canvassers noted for the record that the Meridian Township AV Counting Board list of voters did not include the voters that did not return their ballots, and some AV precinct totals did not seem correct. They requested the Meridian Township Clerk attend the meeting to explain the situation.

Clerk Byrum stated she strongly recommended to the Board of Canvassers that the East Lansing Absent Voter Counting Board be re-tabulated, as the paperwork matched up, so there was a machine issue. She further stated she would work with Clerk Shuster and the vendor to obtain a tabulator that was truly high-speed to re-tabulate the ballots.

Clerk Byrum stated the programming of the tabulator was already tested so it would not need to be re-tested. She further stated she recommended the Board of Canvassers meet at 8 a.m. until 5 p.m. on all days.

Discussion.

Clerk Byrum stated they could have a larger discussion about the hours of the Board of Canvassers meetings after this election, but she would like the re-tabulation to be done all at once, and the meeting should start earlier that day.

Chairperson Scullion asked what the Michigan Bureau of Elections recommended.

Clerk Byrum stated the Bureau of Election agreed that the ballots should be re-tabulated, but they did not give a directive. She further stated that the number of ballots the machine shows voted, did not match the number of voters or ballots that were there, so it reasonable to think that there may be extra votes counted.

Canvasser Bahar-Cook stated the Board of Canvassers had identified only some precincts that had issues, so she thought it would make sense to re-tabulate those ballots first, before running all 3500 absent voter ballots from East Lansing.

Clerk Byrum stated she would like to run all of the ballots for the AV Counting Board.

Canvasser Groff asked if the AV ballots from precincts that did not have issues needed to be re-tabulated.

Clerk Byrum stated they did not need to re-tabulate AV ballots from precincts that did not have issues.

Discussion.

Clerk Byrum stated that the Meridian Township Clerk would attend the Board of Canvassers meeting on November 14 to explain the issues. She further stated that staff from her Office had issues with tracking their absentee ballots during this Election, so she knew their record keeping was not correct.

Clerk Shuster asked if she and Deputy Clerk Gardner could re-tabulate the East Lansing ballots in the presence of the Board of Canvassers, as they were of opposite parties and two people should be sufficient to perform the task.

Chairperson Scullion stated that would be acceptable.

Discussion.

Clerk Shuster requested that a member of the vendor's staff also be present to troubleshoot with the scanner on the day of re-tabulation.

Discussion.

Other Business

None.

Recess

The meeting was recessed at 4:00p.m.

INGHAM COUNTY BOARD OF CANVASSERS
MEETING OF NOVEMBER 14, 2018
INGHAM COUNTY HISTORICAL COURTHOUSE, THIRD FLOOR
MASON, MICHIGAN

CANVASSERS PRESENT: Kathy Prout
Mary Kay Scullion
Joe Groff
Rebecca Bahar-Cook

CANVASSERS ABSENT: None

OTHERS PRESENT: Sandy Zerkle, Alternate Canvasser
Dan Wells, Alternate Canvasser
Liz Noel, Election/Clerk Coordinator
Lindsey LaForte, Recording Secretary
Tyler Smith, County Clerk Staff
Brett Dreyfus, Meridian Township Clerk
Bob Cwierniewicz, Meridian Township Deputy Clerk

Meeting Called to Order

Chairperson Scullion called the November 14, 2018 meeting of the Board of Canvassers to order at 10:00 a.m.

Canvass of November 6, 2018 Election

The Board of Canvassers continued canvassing the November 6, 2018 Election.

The Board of Canvassers received provisional ballot reports from the following precincts:

- City of Lansing, Ward 1, Precinct 2
- City of Lansing, Ward 1, Precinct 5
- City of Lansing, Ward 1, Precinct 7
- City of Lansing, Ward 1, Precinct 9
- City of Lansing, Ward 3, Precinct 23
- City of Lansing, Ward 4, Precinct 39
- City of East Lansing, Precinct 1E
- City of East Lansing, Precinct 12
- Delhi Township, Precinct 3

Those valid votes were added to vote totals for the respective precincts.

The Board of Canvassers noted for the record that Meridian Precinct 6 had failed to complete the Chairperson's oath of office. Clerk Dreyfus appeared on November 14, and corrected the error.

The Board of Canvassers noted for the record that Meridian Precinct 19 had failed to complete the oath of the chairperson and the oath of the inspectors. Clerk Dreyfus appeared on November 14 and resolved the errors.

The Board of Canvassers noted for the record that Meridian Precinct 2 had failed to indicate the county on its oath forms in two places. Clerk Dreyfus appeared on November 14 and resolved the errors.

The Board of Canvassers noted for the record that Meridian Precinct 20 had received far too few ballots, such that zero ballots remained at the end of the night, and that poll challengers had been noted as challenged voters. Clerk Dreyfus appeared on November 14 and explained the errors.

The Board of Canvassers noted for the record that Meridian Precinct 5 had recorded 15 spoiled ballots, but its comments referenced 16 spoiled ballots. Clerk Dreyfus appeared on November 14, but did not have any information to help resolve this error.

The Board of Canvassers noted for the record that Meridian Precinct 9 had several discrepancies. 737 voters signed in, 732 ballots were tabulated, and one provisional was issued. This issue was resolved on November 14 when clarifications were located in records in the possession of the Board.

The Board of Canvassers noted for the record that Delhi Township Precinct 9 had recorded 912 voters, but had tabulated 914 ballots, that the EPB noted 8 spoiled ballots while the Remarks referred to 10, and that the Certificate of Election Inspectors had not been completed. These errors were later resolved.

The Board of Canvassers noted for the record that Delhi Township Precinct 6 Certificate of Election Inspectors was not completed. Clerk Evan Hope came in and completed the checklist.

The Board of Canvassers noted for the record that the Delhi Township AV Counting Board totals did not show how many ballots were requested. The total vote summary was needed to check, which was then provided by Clerk Hope.

The Board of Canvassers requested larger font on future result printouts.

The Board of Canvassers requested that reports be on one 8"x14" page, landscape, and one-sided. They noted that Total Votes and Unresolved Write-Ins could be removed from the reports if needed.

Approval of Draft Minutes

The August 10, 2018 Board of Canvassers Meeting minutes were amended as follows:

The Board of Canvassers noted for the record that ~~the Meridian Township~~ Absent Voter Counting Boards **sometimes have** many discrepancies in the number of ballots tabulated. They requested that in the future, these discrepancies from the Ballot Summary be ~~noted~~ **explained or clarified** in the Remarks section of the Poll Book.

This was considered a friendly amendment.

Moved by Canvasser Bahar-Cook, supported by Canvasser Prout, to approve the August 8-13, 2018 Board of Canvassers meeting minutes, as amended.

Motion carried unanimously.

Moved by Canvasser Prout, supported by Canvasser Bahar-Cook, to approve the August 15, 2018 Board of Canvassers meeting minutes.

Motion carried unanimously.

Other Business

None.

Recess

The meeting was recessed at 4:00p.m.

DRAFT

INGHAM COUNTY BOARD OF CANVASSERS
MEETING OF NOVEMBER 15, 2018
INGHAM COUNTY HISTORICAL COURTHOUSE, THIRD FLOOR
MASON, MICHIGAN

CANVASSERS PRESENT: Kathy Prout
Mary Kay Scullion
Joe Groff
Rebecca Bahar-Cook

CANVASSERS ABSENT: None

OTHERS PRESENT: Elena Greer, Alternate Canvasser
Dan Wells, Alternate Canvasser
Barb Byrum, Ingham County Clerk
Liz Noel, Election/Clerk Coordinator
Lindsey LaForte, Recording Secretary
Tyler Smith, County Clerk Staff
Matt Bosker, ElectionSource Staff

Meeting Called to Order

Chairperson Scullion called the November 15, 2018 meeting of the Board of Canvassers to order at 8:30 a.m.

Canvass of November 6, 2018 Election

The Board of Canvassers continued canvassing the November 6, 2018 Election.

It was determined, after re-tabulating the five precinct AV ballots, there was only one discrepancy, and all other results were accurate. Upon further review of the initial results, the discrepancies initially found were otherwise explained without continuing the re-tabulation.

The Board of Canvassers noted for the record that Ingham Township Precinct 1, the tabulator seal number was missing in the poll book and the Remarks did not include ballot numbers or voter numbers, so the issues were hard to match up with the list of voters. Clerk Marie Parsons came in and added the seal number and check box.

The Board of Canvassers noted for the record that Williamstown Township Precinct 1, Clerks Preparation Certificate, Ballot Summary, and Certificate of Election Inspectors were not completed. Additionally, there were four AV ballots that came back that did not have applications, but had signatures. Clerk Mark Steinberg and the Precinct Chairperson explained that there was an abandoned ballot and they could not remove that voter from the list, so that was why the Ballot Summary was not balanced. They also corrected the errors in the poll book.

The Board of Canvassers noted for the record that Williamstown Township Precinct 2, the List of Voters was not included for the AV voters, and the signature of the election inspectors sealing and verifying the container certificate was missing. Clerk Steinberg came in to correct the issues.

The Board of Canvassers noted for the record that Aurelius Township Precinct 2, the Certificate of Election Inspectors was missing a checkmark. The Precinct Chairperson came in and corrected the error.

The Board of Canvassers noted for the record that Leroy Township Precinct 1, the total number of ballots tabulated exceeded the number of voters by 3 and there was a problem with the lack of clarity regarding spoiled and duplicated ballots, and election inspector certificates were not completed. Sharon Showerman came in to explain, and there were 2 AV ballots duplicated and 1 AV voter was not initially put in the poll book.

The Board of Canvassers noted for the record that the City of Mason Township Precinct 3, an explanation was needed for voter 418, as the remarks indicated it was a provisional ballot but the List of Voters listed it as an affidavit ballot. Clerk Sarah Jarvis stated it was an Affidavit provisional ballot.

The Board of Canvassers noted for the record that Alaiedon Township Precinct 3, the tape included in the envelope was cut and taped and two candidates for Okemos Public Schools were not included, but they were able to look at the Judge's tape to verify those totals. The second page of the Ballot Summary was also missing, which was later provided by the Township Clerk.

The Board of Canvassers noted for the record that the City of Williamston Precinct 1, Certificate of Election Inspectors needed signatures and the number of ballots tabulated. The Precinct Chairperson came in to correct the errors.

The Board of Canvassers noted for the record that Locke Township Precinct 1, the signature of the person administering the oath was missing. Susan Clinton came in and corrected the error.

Canvasser Groff left at 1:00 p.m.

Certification of the Election

The Board of Canvassers certified the November 6, 2018 Election.

Other Business

None.

Recess

The meeting was adjourned at 5:21p.m.

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